

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: **PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: EOT-19197 - APPLICANT: MONTECITO GROUP - OWNER:  
TVC 707, LLC

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION:**      **APPROVAL**, subject to:

**Planning and Development**

1. This Special Use Permit (SUP-10997) shall expire on February 21<sup>st</sup>, 2008 unless another Extension of Time is approved by the Planning Commission.
2. **Conformance** to the Conditions of **Approval** for Special Use Permits (SUP-10997 and SUP-10996), Major Modification (MOD-10994) and all other applicable site related actions.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Special Use Permit (SUP-10997) for gaming (restricted) and a waiver of the 330-foot distance separation requirement from any single family detached dwelling on 6.3 acres at 7240 W. Azure Drive, Suite 170.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) from: U, R-E, R-PD7, R-PD11, R-PD13, R-PD18, R-CL, C-1, C-2, C-V, and P-D to: T-C (Town Center). The Planning Commission and Staff recommended approval.
04/04/01	The City Council approved a Site Development Plan Review [Z-0076-98(20)] for a proposed 138,000 square foot commercial development on 14.16 acres at the northwest corner of the intersection of Tenaya Way and Azure Drive, a Special Use Permit (U-0019-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store, a Special Use Permit (U-0020-01) for a Supper Club, a Special Use Permit (U-0022-01) for a Restaurant Service Bar, a Special Use Permit (U-0023-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed drug store. The Planning Commission and Staff recommended approval of all items.
08/06/03	The City Council approved a Site Development Plan Review (SDR-2399) for a proposed 51,000 square foot retail center and a 90,900 square foot mini-storage facility; and to allow for a reduction in the amount of perimeter and parking lot landscaping. The Planning Commission and Staff recommended approval.
03/15/06	The City Council approved a related Major Modification (MOD-10994), a Special Use Permit (SUP-10997) for Gaming (Restricted) and a Special Use Permit (SUP-10996) for a Tavern. Staff is recommending denial of the Major Modification and Tavern and approval of the Gaming (Restricted). The Planning Commission recommended approval of all items.
11/01/06	The City Council approved Special Use Permit (SUP-15282) for alcoholic beverage-sales liquor store at 7220 Azure Drive, Suite 110. The Planning Commission and staff recommended approval.
02/21/07	The City Council will consider a request for an Extension of Time (EOT-19197) for a related Special Use Permit (SUP-10996).

<b><i>Related Building Permits/Business Licenses</i></b>	
10/24/06	A Tenant Improvement for this address was approved. Permit number is 6006609 with C-385-06.
12/14/06	A permit was issued for the fire sprinkler system at 7240 W. Azure Drive, Ste. 170.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for an Extension of Time request, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for an Extension of Time request, nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	6.3

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
North	Mini Storage	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
South	Undeveloped	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
East	Single Family Residential	O (Office)  R (Rural Density Residential)	R-E (Residence Estates)  R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
West	Undeveloped	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
T-C Town Center District	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>			
T-C Town Center District	X		Y
<b>Trails</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

## ANALYSIS

This is the first request for an extension of time regarding the proposed project. The applicant has made progress on the project as the interior tenant improvements are now nearing completion. This extension of time request is due to caution on the part of the applicant in order to ensure that all matters are addressed prior to expiration of the Special Use Permit (SUP-10997). As the applicant has shown progress on the proposed project, this request is deemed reasonable and approval of this request is recommended.

### Conditions of approval from SUP-10997:

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for Gaming (Restricted) use.
2. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-10994).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. A Waiver from the 330-foot distance separation requirement from any single family detached dwelling is hereby approved.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied.

## FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed land use was deemed appropriate through the approval of the parent application, SUP-10997. This extension of time request will not alter the relationship of this use to adjacent properties. The proposed land use will remain harmonious and compatible with surrounding land uses and approval of this request is recommended.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The tavern is located within a shopping center that is designed to handle this type and intensity of land use. The subject site is physically suitable for the type and intensity of land use.

**3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The site gains access from Azure Drive, a 70-foot frontage street and Tenaya Way, an 80-foot secondary collector. These streets provide adequate access to and from the subject property.

**4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The Extension of Time of an approved Special Use Permit (SUP-10997) will not compromise the public health or the general welfare.

**5. The use meets all of the applicable conditions per Title 19.04.**

The use is in compliance with Title 19.04 and all other applicable plans and policies. This application is meant to ensure that Condition #3 of SUP-10997 remains satisfied.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0